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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

v.

SIPA LIQUIDATION

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

(Substantively Consolidated)

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-04746 (SMB)

Plaintiff,

v.

HARMON FAMILY LIMITED PARTNERSHIP;
FAMILY TRUST UNDER ARTICLE VII of the
HAROLD HARMON REVOCABLE TRUST;
FLORENCE HARMON REVOCABLE TRUST;
JUDITH BREZNIAK; AND MARK HARMON, in
his capacity as Conservator of Marjorie Harmon,

Defendants.

**STIPULATION FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Harmon Family Limited Partnership (“Partnership”); Family Trust Under Article VII of the Harold Harmon Revocable Trust; Florence Harmon Revocable Trust; Judith Brezniak and Mark Harmon, each in their capacity as a general and limited partner of the Partnership, and Mark Harmon, in his capacity as Conservator of Marjorie Harmon (“Defendants”), by and through their counsel, Dune Morris, LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against Defendants.
2. On January 16, 2014, Defendants served an answer on the Trustee.
3. On October 20, 2014, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding.
5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.
6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and

the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York
October 29, 2013

Of Counsel:

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Partnership, Family Trust Under Article VII of the
Harold Harmon Revocable Trust, Florence Harmon
Revocable Trust, Judith Brezniak and Mark
Harmon, each in their capacity as a general and
limited partner of the Partnership and Mark*

*Harmon, in his capacity as Conservator of Marjorie
Harmon*